REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated June 20, 2007. A Petition for Extension of Time (three months) and the fee therefor are submitted herewith.

Claims 1-15 are the claims currently pending in the present application.

Claims 1 and 10 are amended to clarify features recited thereby. The amendments to claims 1 and 10 are fully supported by applicant's disclosure (see, for example, Specification, page 54, lines 3-9; Fig. 30).

Applicant notes with appreciation that the Examiner agrees with the arguments set forth in the previous Amendment and that the Examiner has withdrawn the rejections over the references cited in the previous Office Action.

Rejection of Claims 1-4 and 9-15 under 35 U.S.C. § 102

Claims 1-4 and 9-15 are rejected under 35 U.S.C.§ 102(b) as being anticipated by Ishikawa (5,728,130). Reconsideration of this rejection is respectfully requested.

Claims 1 and 10 require a movable member configured to be operable by direct manipulation by a hand of an operator, a sensor circuit operative to detect a magnitude of movement of the movable member, and a drive circuit to drive the ultrasonic transducer to provide an amount of ultrasonic energy in relation to the magnitude of movement detected by the sensor circuit.

Ishikawa discloses an ultrasonic trocar system that includes a cannula having a guide bore, an obturator passed through the guide bore such that the obturator is vibrated at an ultrasonic frequency to puncture a somatic layer (Ishikawa, Abstract), a handpiece 302 with a distal therapeutic part 305 and an operating part 306 that includes an operation handle 308 (Ishikawa, column 19, lines 48-53) which drives the clamp 310 "to part from or meet with the distal exposed part 309A of the probe 309" so that living tissue can be caught by the probe 309 and clamp 310 (Ishikawa, column 19, lines 63-67). Further, Ishikawa discloses that when the pedal member 329 of the foot switch 303 is stepped on, the output of the main unit 301 of an ultrasonic surgery system if turned on or off, so that in a standby state in which the foot switch 303 is not stepped

on, the interceptive plate 332 is retained at the interceptive position (Ishikawa, column 21, line 64 – column 22, line 2).

Ishikawa does not disclose or suggest any relationship between a magnitude of movement of a movable member by a hand of the operator and an amount of ultrasonic energy output by the ultrasonic treatment instrument, as required by claims 1 and 10. In fact, Ishikawa does not disclose or suggest detecting "a magnitude of movement of the movable member" and controlling any device in relation to such magnitude of movement, as required by claims 1 and 10. Accordingly, Ishikawa does not disclose or suggest the recitations of claims 1 and 10.

Claims 2-4, 9 and 11-15 depend from claim 1, and are therefore patentably distinguishable over the cited art for at least the same reasons.

Rejection of Claims 5-8 under 35 U.S.C. § 103

Claims 5-8 are rejected under 35 U.S.C. § 103 as being obvious based on Ishikawa, in view of Salcudean (6,425,865). Reconsideration of this rejection is respectfully requested.

Salcudean does not cure the above-discussed deficiencies of Ishikawa as they relate to the above-cited features of independent claim 1. Salcudean discloses a robotically-assisted medical ultrasound probe that includes a robotic arm and a computer system to coordinate a motion and forces of the robotic arm and a hand controller as a function of the operator input (Salcudean, Abstract).

More particularly with reference to the rejection, Salcudean discloses that the orientation motion of the wrists of the robotic arm is given by maneuvering only three motors, the wrist motors 31, 32 and 33 of the robotic arm as shown in Fig. 2, and that the force-torque sensor 13 measures the reaction torque due to turning of the wrist motor 31 and the direct forces and torques that are applied on the ultrasound probe (Salcudean, column 7, lines 23-28; Fig. 2). Further, Salcudean discloses a force-torque sensor that may be used to sense the operator's hand forces (Salcudean, column 7, lines 66-67).

Salcudean does not disclose or suggest a movable member configured to be operable by direct manipulation by a hand of an operator, a sensor circuit operative to detect a magnitude of movement of the movable member, and a drive circuit to drive the ultrasonic transducer to provide an amount of ultrasonic energy in relation to the magnitude of movement detected by the

sensor circuit, as required by claim 1. That is, Salcudean does not disclose or suggest that an ultrasonic transducer is driven to provide an amount of ultrasonic energy in relation to the magnitude of movement detected by a sensor circuit. Therefore, even taken together in combination, Ishikawa and Salcudean do not disclose or suggest the recitations of claim 1.

Claims 5-8 depend from claim 1, and are therefore patentably distinguishable over the cited art for at least the same reasons.

In view of the foregoing discussion, withdrawal of the rejections and allowance of the application is respectfully requested.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

Should the Examiner have any questions regarding the present Amendment, or regarding the application generally, the Examiner is invited to telephone the undersigned attorney at the below-provided telephone number.

THIS CORRESPONDENCE IS BEING SUBMITTED ELECTRONICALLY THROUGH THE UNITED STATES PATENT AND TRADEMARK OFFICE EFS FILING SYSTEM ON DECEMBER 13, 2007

Respectfully submitted,

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